

BLUFFTON TOWN COUNCIL MEETING MINUTES
JANUARY 13, 2016

Mayor Lisa Sulka called the meeting to order at 6:00 p.m. Council members present were Fred Hamilton, Larry Toomer, Harry Lutz and Dan Wood. Town Manager Marc Orlando, Deputy Town Manager Scott Marshall, Assistant Town Manager/Executive Director of the Bluffton Public Development Corporation Shawn Leininger, Finance Director Shirley Freeman, Director of Growth Management Kendra Lelie, Director of Engineering Kim Jones, Chief of Police Joey Reynolds, and Town Attorney Terry Finger were also in attendance.

Pledge of Allegiance and Invocation was given by Mayor Sulka.

Swearing in of Mayor Elect Lisa Sulka and Town Council Elect Harry Lutz and Dan Wood:

Town of Bluffton Municipal Judge Clifford Bush swore in Mayor Elect Lisa Sulka; Councilmen Harry Lutz and Dan Wood.

Appointment of Mayor Pro Tempore:

Lutz nominated Hamilton.

Wood nominated Toomer.

The vote was two (2) for Hamilton.

The vote was three (3) for Toomer.

Mayor Sulka declared Toomer as Mayor Pro Tempore.

Adoption of Agenda:

Toomer moved to adopt the agenda as presented with the removal of Agenda Item# 12-c – *Consideration of an Approval of an Amendment to the Master Plan for Property Located on Simmonsville Road North of Fuller Court Consisting of Approximately 1.9 Acres – Kendra Lelie, Director of Growth Management.* Lutz seconded. The motion carried unanimously.

Adoption of Minutes of December 8, 2015:

Hamilton moved to adopt the minutes of December 8, 2015 as presented.

Toomer seconded. The motion carried unanimously.

Presentations, Celebrations and Recognitions:

Mayor Sulka recognized the following:

- Bluffton School District Character Education Student of the Month Kevin Lagos Juarez, MC Riley School. His character trait is respect and gratitude.
- Miss Bluffton Britney Wilson; Miss Bluffton Teen Barbara Frederico and Miss Bluffton Pre-Teen Angelina Facenda.

(Continued)

Presentations, Celebrations and Recognitions – Continued:

- The Gavin Quance Arrhythmia Alliance/AED (Automated External Defibrillator) Campaign: Mayor Sulka and Chief Reynolds presented the Quance family in memory of their son a plaque in recognition of their endeavors along with the Bluffton Police Department and the Arrhythmia Alliance for raising (\$60,000) from the community to equip Bluffton Police vehicles with AED's.

Mayor Sulka read the following proclamations:

- Dr. Martin Luther King, Jr. Proclamation which was accepted by Anne Cooke.
- National Drug and Alcohol Facts Week Proclamation (Lowcountry Alliance for Healthy Youth of Bluffton High School) which was accepted by Adelynn Helms.

The following new employees were introduced:

Brian Osborne – Construction Project Manager

Scott Marshall – Deputy Town Manager

Public Comments:

Carl Brinkman, 30 Grove Wood Drive, stated the Bluffton Dog Park Committee has worked for 10 years to raise funds. They will build a quality dog park when approved. He thanked Shawn Leininger and Kendra Lelie for working with the Committee.

Mayor Sulka stated that the Bluffton Dog Park will be discussed at the Strategic Planning Sessions that will be held in February.

Skip Hoagland, 61 Sparwheel Lane, Hilton Head, accused Mayor Sulka and Town Manager Orlando of promoting the Hilton Head-Bluffton Chamber of Commerce over the Greater Bluffton Chamber of Commerce by assisting in a membership drive.

John Heisler, 87 Wheatfield Circle, an architect and a realtor, stated one of the Town's mission statements should be "more focus on a historical center aspect".

Mike Raymond, 5827 Ginko Lane, requested the following items to be placed on the Strategic Planning session agenda: 1) Expanding Town Council members from five (5) to seven (7); and 2) Having wayfinding signage and other means to mark the outlying communities that are outside of the Old Town.

Laura Bush, 5 Bush Lane, congratulated the new Council members. She announced that she will not seek re-election for the School Board Representative for District 9.

She stated it's has been honor, pleasure and a privilege to serve her community for the past 26 years. She also thanked everyone for their support and confidence.

Communications from Mayor and Council:

Toomer and Hamilton congratulated Lutz and Wood and are looking forward in working with them.

Oyster Factory Park Proposed Rental Fees:

Kim Jones, Director of Engineering, gave an overview.

On September 8, 2015, Town Council voted to approve the Modified Agreement between the Town of Bluffton and Beaufort County regarding the operations of Oyster Factory Park. The Modified Agreement transfers responsibilities and provisions for the management, maintenance, and improvements for the Oyster Factory Park from Beaufort County (County) to the Town of Bluffton (Town).

As a result of the execution of the Modified Agreement and in preparation for a transfer of operations, the Town must review and adopt a rental fee for inclusion in the Town's Master Fee Schedule as part of the Fiscal Year 2016 Budget. This action will require an amendment to *Ordinance No. 2015-14 Fiscal Year 2016 Budget, Section 3. Establishment of a Master Fee Schedule.*

To develop a proposed rental fee schedule for Council's review, Staff gathered park and facility rental fee information for comparable venues including Rotary Community Center, Beaufort County Parks and Leisure Services (PALS), Town of Hilton Head Island, Coastal Discovery Museum at Honey Horn, City of Savannah and Charleston County among others.

Additionally, to gain insight into current operations and to receive feedback on "lessons-learned" for consideration, Town staff met with Beaufort County PALS staff and a representative of D & L Seafood Corporation on November 16, 2015 to discuss the following:

- current park rental fees,
- special event considerations,
- current park operations and maintenance, and existing park rules

Based upon the comparable rental fee analysis and the meeting with PALS and D & L Seafood Corp., Staff is proposing for Council's consideration the Oyster Factory Park rental fees as an amendment to the Fiscal Year 2016 Master Fee Schedule.

The proposed fee structure is comparable to that currently charged by Beaufort County PALS and takes into consideration non-profits, adjacent lawn area surrounding the Garvin House, and associated costs and impacts.

Approval of the proposed rental fee schedule will require an amendment to Ordinance No. 2015-14 Fiscal Year 2016 Budget.

Council was in consensus to place this agenda item on the Strategic Planning Session agenda.

Calhoun Street and Adjacent Area Study:

Kendra Lelie, Director of Growth Management, gave an overview.

At the conclusion of the November workshop Town Council directed Town Staff to provide Town Council with an opportunity to review the final draft of the Calhoun Street and Adjacent Area Study. This workshop is a result of that direction.

Based on the feedback from the public input sessions and Town Council Workshops, the proposed schematic design for Calhoun Street and the adjacent areas includes the following design elements:

A. Sense of Arrival (Calhoun Street and May River Road Intersection)

1. Addition of bulb-outs that will:
 - i. Reduce the distance a pedestrian must travel to cross May River Road and Calhoun Street increasing safety;
 - ii. Provide additional areas for tree plantings; and
 - iii. Mitigate stormwater impacts.
2. Addition of new street trees will provide vertical elements enhancing the feeling of the space as a pedestrian area;
3. Enhance the crosswalks with new striping or as an art element (collaboration with the art community will be warranted);

Expansion of the brick sidewalk from the May River Road sidewalk to the point of intersection with the Calhoun Street sidewalk; and

Introduction of streetscape elements including benches, bike racks, plantings and other amenities (public art) to call attention to the Calhoun Street entrance.

B. Calhoun Street Streetscape Design Features

1. Ten (10) foot travel lanes;
 2. Nine (9) foot parallel parking spaces with delineation (T markings) for more efficient parking;
 3. Street to be composed of Oyster Shell aggregate in asphalt in strategic portions of the street (special event space) or the entire road;
 4. Sidewalks will be widened and range between four (4) and six (6) feet and will be composed of tabby and pervious pavers (tree save areas);
 5. Existing amenities of residential/commercial lots that add to the charm of Calhoun Street will be maintained as much as possible;
 6. Crosswalks will occur at the intersection of side streets (Church, Lawton, Lawrence and Green Street), will cross the side street and Calhoun Street and will be striped or created as an art element (work with art community for this element);
- (Continued)

Calhoun Street and Adjacent Area Study - Continued:

7. Bulb-outs will be added at the intersections of side streets (Church, Lawton, Lawrence and Green Street) to provide safer areas for pedestrian crossings, create space for plantings and rain gardens and streetscape amenities (bike racks, benches, refuse disposal, sculpture);
8. Curbs are 90 degrees providing a true distinction between the sidewalk and the parking area;
9. The street area and the curb between Lawton Street and Lawrence Street along Calhoun Street (community gathering space) will be one level to accommodate the staging of special events (tent setup and pedestrian flow) and help with stormwater management needs. In addition, the space can be used for temporary or semi-permanent street markings (partnership with the arts community would be needed);
10. Commemorative Palms will be saved (if possible), otherwise new commemorative palms are proposed for dedication;
11. Overhead utilities will be placed underground;
12. Mailboxes will be clustered in strategic locations along Calhoun Street and Lawrence Street consisting of a unique design;
13. Streetscape amenities will be added including bike racks, refuse disposal bins, benches and sculpture, which may be organized by the arts and culture community;
14. Street will be restriped with a single yellow center line;
15. Provide additional accessible parking spaces;
16. Provide parking spaces for electric cars, golf carts and motorcycles;
17. Install sidewalks (Lawrence Street and possibly Lawton Street) to Dubois Park from Calhoun Street;
18. Provide additional canopy trees in areas void of existing overhead canopy;
19. Strategic placement of rain gardens for stormwater management purposes;
20. Implementation of head in parking at the south end of Calhoun Street near the churches;
21. Street design to maintain residential character south of Bridge Street:
 - i. No middle traffic line in street;
 - ii. Granite fines for parking spaces with tabby curb edging; and
 - iii. No curb.
22. Provision of a hammerhead street terminus at Calhoun Street dock for vehicular turn around purposes.

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Calhoun Street and Adjacent Area Study – Continued:

C. Bridge Street Streetscape Design Features

1. Provision of on-street public parking opportunities.
2. Provision of sidewalks (minimum of 5') on both sides of the road providing pedestrian access from Town Hall to Calhoun Street; and
3. Implementation of accessible ramps and pedestrian crossings.

D. Dr. Mellichamp Street Streetscape Design Features

1. Provision of sidewalks (minimum of 5') on both sides of the road from Bluffton Road to Goethe Road;
2. Provision of approximately 77 additional parking spaces, including accessible spaces;
3. Addition of bulb-outs and crosswalks;
4. Implementation of accessible ramps;
5. Addition of street trees; and
6. Implementation of stormwater best management practice elements.

Following review by Town Council, Town Staff will finalize any needed changes and present the final Study to Town Council in February for acceptance by Resolution.

An Ordinance Authorizing the Sale of Certain Property Owned by the Town of Bluffton to eviCore healthcare Consisting of an Approximately 3.1 Acre Portion of Parcels R610 022 000 1099 0000, R610 030 000 1848 0000 and R620 030 000 1777 0000, the Transfer of General Commercial Development Rights, and the Establishment of CareCore Drive Temporary Access Easement – Final Reading:

An Ordinance Authorizing a Shared Parking Easement for Certain Real Property Owned by the Town of Bluffton consisting of Parcels R610 022 000 1099 0000, R610 030 000 1848 0000 and R610 030 000 1649 0000 in Favor of eviCore healthcare – Final Reading:

Shawn Leininger, Assistant Town Manager, gave an overview.

eviCore Healthcare (eviCore) submitted a Letter of Intent to the Town outlining their proposed purchase of an estimated three point one (3.1) upland acres of Town owned property within Buckwalter Place for \$275,000. The acreage consists of two point four (2.4) acres of undeveloped property as well as point seven (0.7) acres of adjacent right-of-way (CareCore Drive) constructed by the Town at an estimated cost of \$181,400.

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An Ordinance Authorizing a Shared Parking Easement for Certain Real Property Owned by the Town of Bluffton consisting of Parcels R610 022 000 1099 0000, R610 030 000 1848 0000 and R610 030 000 1649 0000 in Favor of eviCore healthcare – Final Reading – Continued:

eviCore desires to create a corporate campus for the benefit of their employees. Currently, employees only have a small patio in the rear of Building 1 to utilize for meals, breaks, and company functions. Upon purchase of the property, eviCore intends to create a park area on the undeveloped property for corporate functions and recreational activities. The right-of-way (once Progressive Street and Innovation Drive are extended to provide alternate access to the Law Enforcement Center) will provide a pedestrian thoroughfare between buildings and the above referenced land. eviCore indicates future use of the undeveloped property may include office buildings.

Since the First Reading of the Ordinances, eviCore and the Town have finalized Agreement for Purchase and Sale, which was executed on December 16, 2015, outlining specific details of the property transfer such as the purchase price, property description, due diligence period, and closing. Further, the Agreement, specific provisions of the sale including:

1. **Partial Assignment and Assumption of Rights and Obligations Under Development Agreement.** This document transfers a total eight point seven nine (8.79) acres of General Commercial development rights to eviCore for the two point three five (2.35) acre undeveloped portion of the property purchase as well as for eviCore's existing Building 1 and 2 sites which did not receive an assignment of development rights as part of previous transactions with the Town. The distribution of these development rights are as follows:
 - a. *eviCore Purchase Undeveloped Property.* Two point three five (2.35) acres of General Commercial development rights.
 - b. *eviCore Building 1 located on Parcel 2.* Four point seven eight (4.78) acres of General Commercial development rights. Development of this parcel has already taken place utilizing the Four point seven eight (4.78) acres of General Commercial development rights transferred through this Partial Assignment. Therefore, these development rights are not assignable to a third party.
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An Ordinance Authorizing a Shared Parking Easement for Certain Real Property Owned by the Town of Bluffton consisting of Parcels R610 022 000 1099 0000, R610 030 000 1848 0000 and R610 030 000 1649 0000 in Favor of eviCore healthcare – Final Reading – Continued:

- c. *eviCore Building 2 located on Parcel 1B-1.* One point six six (1.66) acres of General Commercial development rights. Development of this parcel has already taken place utilizing the One point six six (1.66) acres of General Commercial development rights transferred through this Partial Assignment. Therefore, these development rights are not assignable to a third party.
2. **Right of First Refusal Agreement.** This document provides that the Town has a first right of refusal should eviCore decide to sell the purchased property within a 10 year time-frame to another individual/company who intends to use the property for purposes other than office space or similar commerce tech park type uses as determined by eviCore. If the Town acts upon the Purchase Option, the Town's purchase cost shall be equal to the sales price of Two Hundred Seventy-Five Thousand and No/100 (\$275,000.00) Dollars plus the market value of any improvements made by eviCore to the property.
3. **Permanent Cross Access, Utilities & Drainage Easements Agreement and Confirmation of Perpetual Access Easement Agreement for CareCore Drive Right-of-Way.** This document provides the Town with an access easement for the continued use of CareCore Drive until Progressive Street and Innovation Drive are complete. Further, the agreement provides that once Progressive Street and Innovation Drive are open, the Town will consent to the termination and/or abandonment of the CareCore Drive right-of-way.
4. **Easement Agreement (Shared Parking).** This document provides for a shared parking easement over Town owned property in the event eviCore constructs new office building(s) on the purchased property. Specifically, the Town grants eviCore the use of the parking areas adjacent to the Law Enforcement Center with the exception of parking spaces/areas reserved by the Town.

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Toomer moved to have final reading on An Ordinance Authorizing the Sale of Certain Property Owned by the Town of Bluffton to eviCore healthcare Consisting of an Approximately 3.1 Acre Portion of Parcels R610 022 000 1099 0000, R610 030 000 1848 0000 and R620 030 000 1777 0000, the Transfer of General Commercial Development Rights, and the Establishment of CareCore Drive Temporary Access Easement. Lutz seconded. The motion carried unanimously.

An Ordinance Authorizing a Shared Parking Easement for Certain Real Property Owned by the Town of Bluffton consisting of Parcels R610 022 000 1099 0000, R610 030 000 1848 0000 and R610 030 000 1649 0000 in Favor of eviCore healthcare – Final Reading – Continued:

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Consideration of an Approval of an Amendment to the Master Plan for Property Located on Simmonsville Road North of Fuller Court Consisting of Approximately 1.9 Acres – Kendra Lelie, Director of Growth Management:

Removed from agenda.

Consent Agenda:

- a. Staff Reports: Police, Finance/Administration, Engineering, Don Ryan Center for Innovation, and Growth Management.
- b. Town Manager's Report.
- c. Appointment of Ron Olson, Facilities Administrator, to the Beaufort County Solid Waste & Recycling Board:
The Beaufort County Solid Waste & Recycling Board is charged with advising County Council on:
 1. Appropriate levels of public solid waste management services for residential, commercial, industrial taxpayers and government entities within Beaufort County; (Continued)

Consent Agenda - Continued:

- c. Appointment of Ron Olson, Facilities Administrator, to the Beaufort County Solid Waste & Recycling Board:
 - 2. Appropriate funding levels for the provision of services in the aforementioned sectors; and
 - 3. Supporting and promoting source reduction, recycling and composting and means of diverting and managing the solid waste stream within Beaufort County.

All ex officio members are Staff members appointed by their respective municipal councils. The vacancy will be created for the Town's representation as Jeff Wiggins will be stepping down from that role. To that end, Staff recommends that Ron Olson, who manages the Town's Trash & Recycling program in Public Works, represent the Town of Bluffton on the Board.

Wood moved to accept the Consent Agenda as presented. Hamilton seconded. The motion carried unanimously.

Public Comments:

There were none.

Executive Session:

- a. Discussion of Proposed Contractual Arrangements Relating to the Construction of 319 Grant Phase II – Pine Ridge Stormwater Retrofit Project (Pursuant to SC FOIA Act Section 30-4-70(a)(2))
- b. Discussion of Proposed Contractual Arrangements Relating to the Oyster Factory Park Dock and Ramp Widening Project (Pursuant to SC FOIA Act Section 30-4-70(a)(2))

Toomer moved for Town Council to go into Executive Session to discuss the abovementioned items. Hamilton seconded. The motion carried unanimously. Council entered into Executive Session at 7:41 p.m.

Actions from the Result of Executive Session:

Mayor Sulka called the meeting back to order at 8:03 p.m. and announced no votes were taken.

Wood moved for Town Council to authorize the Town Manager to approve and execute a contract with Willow Tree Landscaping, Inc. for the Pine Ridge Stormwater Best Management Practice Retrofit in the amount of \$309,321.30 with a contingency of up to 7.5% of the contract amount to address unforeseen changes that may arise during construction. Wood seconded. The motion carried unanimously.

Hamilton moved for Town Council to authorize the Town Manager to approve and execute a contract with Nix Construction Company, Inc. for the Oyster Factory Park Courtesy Dock in an amount not to exceed \$614,114.00 and to authorize a contingency amount of \$30,705.00. Wood seconded. The motion carried unanimously.

The meeting adjourned at 8:04 p.m.

Mayor

Town Clerk